

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

(X) Original () Supplemental () Substitute () PCT () DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: NOVEL HETEROCYCLIC COMPOUND

of which is described and claimed in:

() the attached specification, or
() the specification in application Serial No. _____, filed _____, and with amendments through _____, or
(X) the specification in International Application No. PCT/JP2005/003095, filed on February 18, 2005, and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NO. | DATE OF FILING | PRIORITY CLAIMED |
|---------|-----------------|-------------------|------------------|
| JP | 2004-045979 | February 23, 2004 | Yes |
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I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NO. | U.S. FILING DATE | STATUS: PATENTED, PENDING, ABANDONED |
|------------------------|------------------|--------------------------------------|
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| | | |

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; Michael S. Huppert, Reg. No. 40,268; Jeffrey R. Filipek, Reg. No. 41,471, and W. Douglas Hahm, Reg. No. 44,142 who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Customer No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from
AOYAMA & PARTNERS

as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

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| Direct Correspondence to: | | Direct Telephone Calls to: | |
| CUSTOMER NO. 000513 | | WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250 | |
| Full Name of First Inventor | FAMILY NAME KODO | FIRST GIVEN NAME Toru | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Suita-shi, Osaka-fu, Japan | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o Dainippon Sumitomo Pharma Co., Ltd., 33-94, Enoki-cho, Suita-shi, Osaka 564-0053 Japan | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Second Inventor | FAMILY NAME FUKAYA | FIRST GIVEN NAME Takayuki | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Suita-shi, Osaka-fu, Japan | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o Dainippon Sumitomo Pharma Co., Ltd., 33-94, Enoki-cho, Suita-shi, Osaka 564-0053 Japan | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Third Inventor | FAMILY NAME KOYAMA | FIRST GIVEN NAME Koji | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Suita-shi, Osaka-fu, Japan | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o Dainippon Sumitomo Pharma Co., Ltd., 33-94, Enoki-cho, Suita-shi, Osaka 564-0053 Japan | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Fourth Inventor | FAMILY NAME MASUMOTO | FIRST GIVEN NAME Shuji | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Suita-shi, Osaka-fu, Japan | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o Dainippon Sumitomo Pharma Co., Ltd., 33-94, Enoki-cho, Suita-shi, Osaka 564-0053 Japan | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Fifth Inventor | FAMILY NAME FUJIBAYASHI | FIRST GIVEN NAME Nao | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Osaka-shi, Osaka-fu, Japan | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o Dainippon Sumitomo Pharma Co., Ltd., 6-8, Dosho-machi 2-chome, Chuo-ku, Osaka-shi, Osaka 541-8524 Japan | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Sixth Inventor | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| Residence & Citizenship | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
| Post Office Address | ADDRESS | CITY | STATE OR COUNTRY ZIP CODE |

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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|--------------|------------------------|------|----------------------|
| 1st Inventor | <u>Toru Hiroh</u> | Date | <u>June 28, 2006</u> |
| 2nd Inventor | <u>Takayuki Fukaya</u> | Date | <u>June 29, 2006</u> |
| 3rd Inventor | <u>Koji Koyama</u> | Date | <u>June 29, 2006</u> |
| 4th Inventor | <u>Shuji Masumoto</u> | Date | <u>June 23, 2006</u> |
| 5th Inventor | <u>Nao Fujibayashi</u> | Date | <u>June 23, 2006</u> |
| 6th Inventor | _____ | Date | _____ |

The above application may be more particularly identified as follows:

U.S. Application Serial No. _____ Filing Date _____

Applicant Reference No. _____ Attorney Docket No. _____

Title of Invention

NOVEL HETEROCYCLIC COMPOUND